



021204

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Attorney Docket No. CST-201 CIP

22141 U.S. PTO
10/777893



021204

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Rush *et al.*
ASSIGNEE: Cell Signaling Technology, Inc.
SERIAL NUMBER: Not Yet Known EXAMINER: Not Yet Assigned
FOR: IMMUNOAFFINITY ISOLATION OF MODIFIED PEPTIDES FROM
COMPLEX MIXTURES

February 12, 2004
Beverly, Massachusetts

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attached hereto for filing in the above-identified patent application are the following:

- ☒ Transmittal Letter (w/duplicate) (2 pages);
- ☒ Request for Filing a Continuing Utility Application Under 37 C.F.R. §1.53(b) (3 pages);
- ☒ Application Cover Page (1 page);
- ☒ Specification (140 pages);
- ☒ Drawings (35 pages; Figs. 1-34);
- ☒ Combined Declaration and Power of Attorney (3 pages);
- ☒ Check No. 037049 in the amount of \$614.00;
- ☒ Return Postcard.

Respectfully submitted,

Shari R. M. Hewson FOR
James Gregory Cullem, Reg. No. 43,569
Intellectual Property Counsel
CELL SIGNALING TECHNOLOGY, INC.
166B Cummings Center
Beverly, Massachusetts 01915
Tel: (978) 867-2311

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FIRST-NAMED INVENTOR: Rush *et al.*
ASSIGNEE: CELL SIGNALING TECHNOLOGY, INC.
FOR: IMMUNOAFFINITY ISOLATION OF MODIFIED PEPTIDES FROM
COMPLEX MIXTURES

February 12, 2004
Beverly, Massachusetts

Mail Stop Patent Application
Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR FILING A CONTINUING UTILITY APPLICATION
UNDER 37 C.F.R. §1.53(b)

1. This is a request for filing a continuing application under 37 C.F.R. §1.53(b).
(Check the appropriate boxes and supply the requisite information)

This application is a:

☐ Continuation; ☐ Divisional; ☒ Continuation-in-part of prior application U.S.S.N. 10/175,486,
filed June 19, 2002. U.S.S.N. 09/535,364, filed March 24, 2000, presently pending and U.S.S.N.
09/148,712, filed September 4, 1998, which has been issued.

2. Priority to the above application(s) is claimed under:

☒ 35 U.S.C. §120
Prior application information:
Examiner: P. Ponnaluri (for '712); S. Tizio (for '364); Group Art Unit: 1627.

Priority is also claimed to U.S.S.N. 10/175,486, filed June 19, 2002, presently pending and U.S.
Provisional Applications USSN 60/299,893, filed June 21, 2001, and USSN 60/337,012, filed
November 8, 2001, both abandoned.

☐ 35 U.S.C. §119
Priority of application Serial No. _____, filed on _____ in _____ is claimed under
35 U.S.C. §119.

☐ The certified copy has been filed in prior application U.S.S.N. ____/____,____ on [Date].
☐ The certified copy will follow.

APPLICATION ELEMENTS:

3. ☒ Specification and Drawings (Total pages:):
Specification (pages); Claims (pages); Abstract (1 page); and
Drawings: sheets; FIGS. 1- .
☐ Formal
☒ Informal (publication quality)
☐ Sequence Listing (pages)
☒ Application Cover Page (1 page)

FIRST-NAMED INVENTOR: **Rush et al.**
Request for Continuing Nonprovisional Application (37 C.F.R. §1.53(b))

4. ☐ Nucleotide and/or Amino Acid Sequence Submission:
- ☐ *Computer-readable Copy:* The computer-readable copy of the Sequence Listing in the instant application is to be identical to that filed in application U.S.S.N. ____/____,____, filed [filing date]. In accordance with 37 C.F.R. § 1.821(e), please use the computer-readable form filed in that application as the computer-readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the instant application.
- ☐ *Paper Copy:* A paper copy of the Sequence Listing is included in the copy of the originally-filed specification of the instant application.
- ☐ *Statement:* The undersigned hereby states and verifies that the computer-readable form and the Sequence Listing submitted herewith is identical to the paper copy of the Sequence Listing filed herewith, and does not include new matter. 37 C.F.R. §1.821(f).
5. ☐ Microfiche Computer Program (*Appendix*)
6. ☒ Oath or Declaration (Total pages: 3):
- (a) ☒ Newly executed (original)
- (b) ☐ Copy from a prior application (37 C.F.R. §1.63(d))
7. ☐ Incorporation by Reference (*can use if Box 6(b) is checked*)
- The entire Disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 6(b), is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

ASSERTION OF ENTITLEMENT TO SMALL ENTITY STATUS (37 C.F.R. §1.27(c)(1)):

8. ☒ The undersigned attorney hereby asserts that Applicants' assignee is small business concern and is therefore entitled to small entity status.

ACCOMPANYING APPLICATION PARTS:

9. ☐ English Translation Document (*if applicable*)
10. ☐ Information Disclosure Statement (IDS)
- ☐ Copy of IDS and PTO-1449 (____ pages)
- ☐ Copies of references cited
- ☐ Copies of relevant copending applications (unless relied on for §120 effective priority) (37 C.F.R. §1.98(d)(1))
11. Fee Calculation:
- ☐ A Preliminary Amendment is enclosed herewith. Please enter the claim amendments prior to calculating the filing fee.

NON-PUBLICATION REQUEST (37 C.F.R. §1.213):

12. ☐ Applicants hereby request that the application filed herewith not be published under 37 C.F.R. §122(b). The undersigned attorney hereby certifies that the invention disclosed in the present application has not been, and will not be, the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at 18 months after filing.

FIRST-NAMED INVENTOR: **Rush et al.**
Request for Continuing Nonprovisional Application (37 C.F.R. §1.53(b))

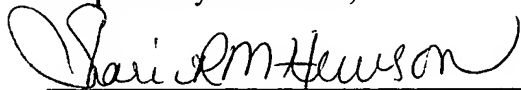
CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 C.F.R. 1.16(a) \$710.00
Total Claims (37 C.F.R. 1.16(c))	51	- 20 =	31	\$ 18.00	\$ 558.00
Independent Claims (37 C.F.R. 1.16(b))	8	- 3 =	5	\$80.00	\$ 400.00
Multiple Dependent Claim(s), if any (37 C.F.R. 1.16(d))	Yes	--	--	\$270.00	\$ 270.00
SUBTOTAL:					\$1228.00
Reduction by 50% for filing by small entity:					- \$ 614.00
TOTAL FEE:					\$ 614.00

13. ☒ A check #037049 in the amount of \$614.00 is enclosed.
14. ☐ Deletion of Inventor(s)
This application is filed by fewer than all the inventors named in the prior application,
37 C.F.R. §1.53(d)(4).
☐ DELETE the following inventor(s) named in the prior nonprovisional application:

☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
15. ☒ The Commissioner is hereby authorized to credit overpayments or charge the
following fees to Deposit Account No. 50-1774, Ref. No. CST-201 CIP:
☒ Fees required under 37 C.F.R. §1.16;
☒ Fees required under 37 C.F.R. §1.17;
☒ Fees required under 37 C.F.R. §1.18.
16. ☒ Return Receipt Postcard Enclosed.
17. ☐ Other Documents Enclosed:
☐

Dated: February 12, 2004

Respectfully submitted,



Shari R. M. Hewson FOR
James Gregory Cullem, Reg. No. 43,569
Intellectual Property Counsel
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